

**GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:3657
ANSWERED ON:16.04.2002
COMPULSORY REGISTRATION OF MARRIAGES
KINJARAPU YERRANNAIDU;M. JAGANNATH

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) whether the Government propose to make registration of all marriages mandatory to protect the interests of women;
- (b) if so, the details thereof; and
- (c) if not, the reasons therefor?

Answer

MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI SUMITRA MAHAJAN)

(a),(b)&(c) The para 6.3 of National Policy for the Empowerment of Women 2001 states that registration of marriages would be made compulsory. However, the legislation position is as under:

Registration of marriages solemnized or contracted under the India Christian Marriage Act, 1872, the Parsi Marriage and Divorce Act, 1936 and the Special Marriage Act, 1954 is compulsory. Section 8 of the Hindu Marriage Act, 1955 provides that if the State Government is of opinion that it is necessary or expedient so to do, it may provide that the entering of the particulars of Hindu marriages in the Hindu marriage register shall be compulsory in the State or in any part thereof, whether in all cases or in such cases as may be specified. Certain State Governments, namely, of Maharashtra, Gujarat, Himachal Pradesh and Karnataka have State Acts providing for compulsory registration of marriages in those States. Registration of marriages solemnized otherwise than under the Special Marriage Act, 1954 is permissible under Section 16 of the said Act if such marriages fulfill certain conditions as laid down under chapter III of that Act. The question of making registration of Hindu marriages compulsory could also be considered by the State Governments as per the local situations prevailing in those States.